

ALLENDALE TOWNSHIP
PLANNING COMMISSION
November 16, 2009

Members Present: Guzicki, TerHorst, Knoper, Smit, Rozema, Obetts, Underhill

Members Absent: None

Staff Present: Brummel

1. Meeting called to order at 7:30PM.
2. Approve the October 19, 2009 minutes.
Approve the October 26, 2009 minutes.

Motion made to approve both sets of minutes made by TerHorst. Support by Guzicki. Motion carried 7-0.

3. Public Hearings:

A. University Park rezoning request from PID to PUD and Preliminary PUD Plan.

Brummel states that this request is coming from the Board, and there is a Staff Report attached. There are some revisions to the total occupancy rates that should be added to the packet also. He then reads the entire Staff Report to the Commission.

Guzicki states that the excel spreadsheet has averaged the averages, instead of using the raw data- there would be an increase from 2008, not a decrease, since the spreadsheet data is incorrect.

Brummel states that there are some corrections to be made.

- 1) Pg 2, Section A, add Building Height 40ft, and setbacks of 25 ft for all sides.
- 2) Pg2, section B, add "above" after Subsection A, on line 4.
- 3) Pg 3, Section 7, add "of existing structures" between expansions and within on line 2.
- 4) Section 4, strike last two words.
- 5) Section 5, strike word "village."
- 6) Section 6, line 4, add "is" between ordinance and hereby.
- 7) Section 9 becomes "Residential Occupancy Regulations.
- 8) Change sections 9 and 10 to 10 and 11 respectively.

All residential housekeeping units shall comply with residential occupancy regulations as regulated in Section 3.15 of Allendale Charter Township for R3

zoned properties. And as a Special Land Use up to 4 persons per Housekeeping Unit.

Brummel states that if a portion of the PUD district is in the footprint of University Village, then the whole PUD would be designed to fit within the University Village. We could put wording that makes it 30% or more within the footprint that would make it part of the University Village.

All Commissioners agrees that this area is considered a Mixed Use area, not a University Village.

Open to Public Hearing: No public comments

Motion made to recommend approval to the ACT Board, the rezoning from PID to PUD and to adopt the Preliminary Plan dated November 21, 2009, Sheet 1 of 1, Project #09200676 as prepared by Nederveld, titled University Park a Mixed Use PUD and the supporting zoning ordinance which removes and replaces the current University Park PUD Ordinance with the staff suggested corrections and direct staff to make those corrections and to then send this on to the Township Board. Corrections as follows:

- Pg 2, Section A, add Building Height 40ft, and setbacks of 25 ft for all sides.
- Pg2, section B, add "above" after Subsection A, on line 4.
- Pg 3, Section 7, add "of existing structures" between expansions and within on line 2.
- Section 4, strike last two words.
- Section 5, strike word "village."
- Section 6, line 4, add "is" between ordinance and hereby.
- Section 9 becomes "Residential Occupancy Regulations.
- Change sections 9 and 10 to 10 and 11 respectively.

All residential housekeeping units shall comply with residential occupancy regulations as regulated in Section 3.15 of Allendale Charter Township for R3 zoned properties. And as a Special Land Use up to 4 persons per Housekeeping Unit. I make this motion believing that the plan and the proposed zoning ordinance satisfy the expectations of and advance the goals and objectives of the Master Plan, made by Underhill. Support by Smit. Motion carried 7-0.

B. John Miller request for Special Land Use approval for a Wind Energy Tower at 8575 Warner Street

John Miller is requesting to put up a 100ft tower that he got off a job this summer, and he will most likely put up just 60 ft of the tower and the hub height will be 73 ft high. There is no final decision with the engineer yet, as to what type of turbine will be used. He wonders if the Commission will be following the county's ordinance standards.

Brummel states that there are no standards set by ACT yet, but we need to make sure that we don't affect the adjoining properties with noise, vibrations, and set-back for properties. From 9PM to 9AM the decibel levels would need to

be no more than what they would be without the wind energy tower. We could put a 100ft build-to line to make sure that the tower is far enough away from the lot lines.

Miller states that then North property line is state land. The decibel levels at ground level are 40 decibels- give or take, and go down from there, depending on the type of wind turbine chosen. There shouldn't be a problem at the lot lines with noise or vibration. With the homeowners insurance I need to know how much coverage I would need. There shouldn't be a problem with the flicker of moon or sunlight, but if there is a problem, we can change the paint to a matte finish if need be. The flicker would be on the state land, if it does happen. The blade diameter shouldn't be over 15 ft, but there is no definite plan on what turbine will be used. Part of the engineering is going to be the foundation also.

Open to Public Hearing: No public comments.

Obetts reads Article 20.06 for a Special Land Use, to the Planning Commission.

Miller states that he believes that he may need up to 120ft, so if the Commission could make the height up to 125, he would be sure to stay within that height requirement.

Brummel states that the standards are as follows: built at 120ft from the north property line, no more noise at the property line than is currently there, set back a minimum of 120ft from side-yards, maximum height to the tip of the rotor in vertical position is not to exceed 125ft.

Motion made to approve the Special Land Use Request with the standards: 120ft from property lines, no more noise at property lines than without Wind Energy Tower, set back minimum of 120ft from side yards, and maximum height to the tip of the rotor in vertical position in not to exceed 125ft. With this in place, it does comply with Article 20.06 made by Knoper. Support by Rozema. Motion carried 7-0.

4. Site Plan review:

A. Erick Apol office on Washington Avenue.

Brummel states that Joe and Erick have been going back and forth with how they should proceed, and they haven't made any submittals as of yet.

5. New Business: (None)

6. Old Business:

A. Adopt Planning Commission By-laws.

The regular meeting section 2, it states 8PM, not 7:30PM. The correction has been made, and we need to formally adopt it.

TerHorst moves to approve the 4-7-09 Planning Commission by-laws. Support by Underhill. Motion carried 7-0.

B. Ordinance housekeeping proposals discussed at two earlier meetings.

Brummel states that these topics will be discussed at further meetings.

7. Township Board Report. (Ken)

A. Master Plan work.

Knoper states that the Master Plan will be worked over by the Board and Planning Commission. There is a question about what we are going to do with sewer and water outside of what we require now. We have discussed requiring any new proposed subdivisions to put sewer and water in. We can do that with water, but there are not capabilities for sewer in all areas of the township.

Brummel wonders about the footprint of the University Village.

Knoper states that the Board feels that the Planning Commission can move forward with looking at the Master Plan in regards to the University Village footprint.

8. Public concerns and comments concerning items not on the agenda: None

9. Meeting adjourned at 8:55PM

The next meeting is on December 21, 2009 at 7:30 PM.